

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

GROVER LEE ROGERS, )  
                        )  
Plaintiff,            )  
                        ) Civil No. 04-3037-CO  
v.                     )  
                        ) ORDER  
KLAMATH COUNTY, et al., )  
                        )  
Defendants.           )  
                        )

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Magistrate Judge John P. Cooney his Findings and Recommendation on May 17, 2005. The matter is now before me. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). No objections have been timely filed. This relieves me of my obligation to give the factual findings de novo review. Lorin Corp. v. Goto & Co., Ltd., 700 F.2d 1202, 1206 (9th Cir. 1982). See also Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Judge Cooney's Findings and Recommendation. Defendants' motion for partial summary judgment (#31) is granted in part and denied in part: defendants' motion for partial summary judgment as to plaintiff's first and third claims is granted as to all defendants, defendants' motion for partial summary judgment as to plaintiff's second claim is granted as to defendant Klamath County, and defendants' motion for partial summary judgment as to plaintiff's fourth claim is denied.

IT IS SO ORDERED.

DATED this 13<sup>th</sup> day of June, 2005.

Michael E. Hogan  
UNITED STATES DISTRICT JUDGE